

R E M A R K S

Claims 2 and 6-7 have been canceled. Claims 1, 3-5, and 8 remain pending in the application. Applicants amend claims 1 and 8 for further clarification. No new matter has been added.

Claims 1 and 3-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art ("AAPA") in view of U.S. Patent Application Publication No. 2002/0114333 to Xu et al., and further in view of U.S. Patent Application Publication No. 2002/0097676 by Matsumaru; claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Xu et al., Matsumaru, and further in view of U.S. Patent Application Publication No. 2002/0087730 to Yonekura; and claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Xu et al. in view of U.S. Patent No. 6,298,062 to Gardell et al., and further in view of Matsumaru. Applicants amend claims 1 and 8 in a good faith effort to further clarify the invention as distinguished from the cited reference, and respectfully traverse the rejections.

AAPA only includes description of a network in which transmission path ports in transmitters are connected through transmission paths, such as optical fiber paths, and data communications are performed between transmitters. Xu et al. describe a call control manager that extracts a source network address and a source port number from data grams originated by client to identify a destination network address and port number to which data grams can be sent as response datagrams. Matsumaru describes a suspend packet transmitter. Yonekura describes a content relay service device disposed on a path between a portable telephone and a WWW server. And, again, Gardell et al. describe a technique including the steps of: receiving an incoming call addressed to a particular terminal end-point; routing the incoming call to the terminal end-point; determining whether the terminal end-point is

unavailable to receive the incoming call; and if the terminal end point is unavailable,

determining an appropriate network-resident service sub-system to receive the call.

Thus, even assuming, arguendo, that it would have been obvious to one skilled in the art at the time the claimed invention was made to combine the cited references, any such combinations would still at least have failed to disclose or suggest:

“[a] transmitter in a network where a plurality of transmitters have an individual specific address and are connected through different transmission paths so that a packet with information about a source address is transmitted, said transmitter comprising:

 a plurality of transmission path ports respectively connected to said different transmission paths, each transmission path port being adapted to send said packet to and receive said packet from one of said transmission paths; and

 a relay section relaying the received packet received in one of said transmission path ports to a relay transmission path of said transmission paths by which said received packet reaches its destination;

 wherein said relay section comprises:

 a table storing information about the relay of said received packet to one of said transmission path ports connected to said relay transmission path, correlated with a port identifier of each said transmission path port and the source address of the transmitter that transmitted said packet; and

 a router extracting the port identifier of the transmission path port that received said packet and said source address contained in said received packet, and routing said received packet to one of said transmission path ports, which is connected to said relay transmission path, by referring to said table for said extracted port identifier and source address, wherein said router comprises:

 a receiving port extracting part extracting the receiving port identifier of the transmission path port that received said packet;

 a source address extracting part extracting the source address contained in said received packet; and

 a routing part performing said routing by referring to said table in response to said receiving port identifier extracted by said receiving port extracting part and said source address extracted by said source address extracting part, wherein said routing part comprises:

 a judging part judging whether or not to relay said received packet by referring to said table, based on said

receiving port identifier extracted by said receiving port extracting part and said source address extracted by said source address extracting part; and

an assigning part assigning said received packet to a transmission path port when it is judged by said judging part that said received packet is to be relayed, said assigning part comprising a plurality of transmitting parts each corresponding to a respective one of said transmission path ports,

said judging part outputs a plurality of judged results for said plurality of transmitting parts, respectively,

each of said plurality of transmitting parts outputs said received packet to a respective one of said transmission path ports based on a corresponding judged result from said judging part,

said table stores the information about the relay, such as to relay said received packets when said source address extracted from said received packet designates another transmitter and the other transmitter designated by said source address is located on a path connected to the transmission path port corresponding to the receiving port identifier extracted by said receiving port extracting part, and the information about the relay such as not to relay said received packet when said source address extracted from said received packet designates the transmitter or the other transmitter designated by said source address is located on another path other than the path connected to the transmission path port corresponding to the receiving port identifier extracted by said receiving port extracting part.

said judging part judges to relay or not to relay said received packet according to the information about the relay stored in said table.” (Emphasis added)

Accordingly, Applicants respectfully submit that claim 1 incorporating the above-cited features, together with claims 3-4 dependent therefrom, is patentable over AAPA, Xu et al., and Matsumaru, separately and in combination, for at least the foregoing reasons. Claim 8 incorporates features that correspond to those of claim 1 cited above. The Examiner cited Gardell et al. as a further combining reference to specifically address the additional features recited therein. And as demonstrated above, a further combination with Gardell et al. would still have failed to cure the above-described deficiencies of AAPA, Xu et al., and Matsumaru, even assuming, arguendo, that such a further combination would have been obvious to one skilled in the art at the time the claimed invention was made. Accordingly, Applicants

respectfully submit that claim 8 is patentable over the cited references for at least the foregoing reasons. And, again, the Examiner cited and applied Yonekura as a further combining reference to specifically to address the additional features recited in claim 5, which depends from claim 1. As such, a further combination with this additional reference would still have failed to cure the above-described deficiencies of AAPA, Xu et al., and Matsumaru, even assuming, arguendo, that such a further combination would have been obvious to one skilled in the art at the time the claimed invention was made. Accordingly, Applicants respectfully submit that claim 5 is patentable over the cited references for at least the above-stated reasons with respect to claim 1, from which claim 5 depends.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

/Dexter T. Chang/
Dexter T. Chang
Reg. No. 44,071

CUSTOMER NUMBER 026304
Telephone: (212) 940-6384
Fax: (212) 940-8986 or 8987
Docket No.: 100794-00496 (FUJS 20.713)
DTC:tb